

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 Larry James Washington,
5 Petitioner
6 v.
7 Jo Gentry, et al.,
8 Respondents
9

2:17-cv-01589-JAD-NJK

Order Denying Motion to Strike
[ECF No. 33]

10 Pro se petitioner Larry Washington is an inmate at the Southern Desert Correctional
11 Center serving two life sentences for second-degree kidnapping while using a deadly weapon and
12 assault with a deadly weapon.¹ He petitions for a writ of habeas corpus under 28 U.S.C. § 2254,²
13 and respondents move to dismiss it.³ He opposed their dismissal motion,⁴ they replied,⁵ and then
14 he opposed it again.⁶ Respondents now move to strike Washington's successive response to their
15 dismissal motion.⁷

16 Although Washington did not seek leave to file a successive response or surreply as
17 required by the local rules, I recognize that Washington is representing himself and is serving life
18 sentences. In the interest of justice, I relax the rules to ensure that Washington has had an
19

20 ¹ NEV. DEP'T OF CORR. (Feb. 9, 2018) <http://doc.nv.gov/Inmates/Home/> (inmate search by name
21 Larry Washington or offender ID 24573).

22 ² ECF No. 6.

23 ³ ECF No. 9.

24 ⁴ ECF No. 22.

25 ⁵ ECF No. 29.

26 ⁶ ECF No. 31.

27 ⁷ ECF No. 33.
28

1 opportunity to present all of his arguments in opposition to the dismissal motion. I therefore
2 extend the same courtesy to respondents and grant them leave to reply to Washington's
3 additional arguments. I will not relax the rules this way again.

4 Accordingly, IT IS HEREBY ORDERED that respondents' motion to strike
5 Washington's surreply [ECF No. 33] is **DENIED**.

6 IT IS FURTHER ORDERED that **respondents have until March 8, 2018, to file a**
7 **REPLY to Washington's successive opposition.**

8 DATED: March 1, 2018.

9 
10 U.S. District Judge Jennifer A. Dorsey
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28